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BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
OF THE STATE OF CALIFORNIA

In the Matter of:	)	NMLS ID: 1667722
	)	
THE COMMISSIONER OF BUSINESS	)	ORDER DENYING APPLICATION FOR
OVERSIGHT,	)	MORTGAGE LOAN ORIGINATOR
	)	LICENSE
Complainant,	)	
	)	
v.	)	
	)	
JEFFREY L. JOHNSON, JR.,	)	
	)	
Respondent.	)	
	)	
	)	

The Complainant, the Commissioner of Business Oversight (Commissioner), of the Department of Business Oversight (Department), finds that:

1. On or around March 20, 2018, Jeffrey L. Johnson, Jr. (Johnson) filed an application for a mortgage loan originator (MLO) license with the Commissioner by submitting a Form MU4 through the Nationwide Mortgage Licensing System (NMLS) (hereinafter, Application) pursuant to Financial Code section 50140.

2. Disclosure Question (F)(1) in the Application asked: “Have you ever been convicted of or pled guilty or nolo contendere (‘no contest’) in a domestic, foreign, or military court to any felony?” Johnson answered “Yes.”

3. On or around April 24, 2018, Johnson submitted through NMLS the criminal docket and Sentence Order in *State of Delaware v. Jeffrey L. Johnson* (Case No. 0506017284) from the Superior Court of the State of Delaware, New Castle County.

4. Documents obtained by the Department in connection with the Application disclosed that on or around August 22, 2005, a Grand Jury issued an indictment against Johnson as to the following four felony counts: Count 1, Robbery in the first degree, in violation of Title 11 of the Delaware Code of 1974, as amended (11 Del. C.) § 832; Count 2, Possession of a Firearm During the Commission of a Felony, in violation of 11 Del. C. § 1447A; Count 3, Possession of a Firearm During the Commission of a Felony, in violation of 11 Del. C. § 1447A; and Count 4, Conspiracy in the second degree, in violation of 11 Del. C. § 512.

5. On or around December 12, 2005, Johnson pled guilty to Robbery in the second degree, in violation of 11 Del. C. § 831,<sup>1</sup> and Conspiracy in the second degree.

6. Financial Code section 50141 provides in relevant part:

(a) The commissioner shall deny an application for a mortgage loan originator license unless the commissioner makes at a minimum the following findings: . . .

(2) (A) The applicant has not been convicted of, or pled guilty or nolo contendere to, a felony in a domestic, foreign, or military court . . . at any time preceding the date of application, if such felony involved an act of fraud, dishonesty, a breach of trust, or money laundering. Whether a particular crime is classified as a felony shall be determined by the law of the jurisdiction in which an individual is convicted. (Emphasis added.)

<sup>1</sup> “(a) A person is guilty of robbery in the second degree when, in the course of committing theft, the person uses or threatens the immediate use of force upon another person with intent to: (1) Prevent or overcome resistance to the taking of the property or to the retention thereof immediately after the taking; or (2) Compel the owner of the property or another person to deliver up the property or to engage in other conduct which aids in the commission of the theft. Robbery in the second degree is a class E felony. (b) In addition to its ordinary meaning, the phrase ‘in the course of committing theft’ includes any act which occurs in an attempt to commit theft or in immediate flight after the attempt or commission of the theft.” (11 Del. C. § 831.)

1           7.       The Commissioner finds that Johnson does not meet at least one of the minimum  
2 requirements for issuance of a mortgage loan originator license, namely, Financial Code section  
3 50141, subdivision (a)(2) requiring that Johnson has not pled guilty to a felony at any time  
4 preceding the date of the Application if such felony involved an act of fraud, dishonesty, a breach of  
5 trust, or money laundering.<sup>2</sup> Having found that Johnson pled guilty to a felony involving an act of  
6 dishonesty prior to the date of the Application, pursuant to Financial Code section 50141, the  
7 Commissioner shall deny Johnson's application for a mortgage loan originator license.

8           8.       On August 21, 2018, the Commissioner issued a Notice of Intention to Deny  
9 Application for Mortgage Loan Originator License, Statement of Issues, and accompanying  
10 documents (Notice of Intention to Deny) based on the above findings. On August 25, 2018, the  
11 Commissioner served Johnson with the Notice of Intention to Deny via certified mail, return receipt  
12 requested, which was signed by Johnson on August 27, 2018. Johnson did not request a hearing  
13 and the time to request a hearing has expired.

14           NOW GOOD CAUSE APPEARING THEREFOR, it is hereby ordered that the Application  
15 filed by Jeffrey L. Johnson, Jr. for a mortgage loan originator license is denied. This order is  
16 effective as of the date hereof.

17 Dated: September 18, 2018  
18       Los Angeles, California

JAN LYNN OWEN  
Commissioner of Business Oversight

21 By \_\_\_\_\_  
22 MARY ANN SMITH  
23 Deputy Commissioner  
24 Enforcement Division  
25  
26  
27

28 \_\_\_\_\_  
<sup>2</sup> "Since robbery and burglary each necessarily involve a specific intention to commit a theft . . . each involves elements of dishonesty and a readiness to do evil." (*People v. Rodriguez* (1986) 177 Cal. App. 3d 174, 178.)